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12

13 UNITED STATES DISTRICT COURT  
14 SOUTHERN DISTRICT OF CALIFORNIA

15 JOSE HERNANDEZ,  
16 Plaintiff,

17 v.

18 SAN DIEGO COUNTY  
19 REGIONAL AIRPORT  
AUTHORITY, a public entity;  
20 THELLA BOWENS, an individual;  
and DOES 1 through 20, inclusive,  
21 Defendants.  
22

CASE NO. 08 CV 0184 L CAB

**NOTICE OF MOTION AND MOTION  
TO DISMISS (RE THELLA BOWENS)**  
[Fed. R. Civ. P. 12(b)(6)]

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Date: May 19, 2008  
Time: 10:30 a.m.  
Dept. 14  
Judge: Honorable James Lorenz

[Magistrate Judge Cathy Ann Bencivengo]

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24 TO PLAINTIFF JOSE HERNANDEZ AND HIS ATTORNEYS OF  
25 RECORD:

26 PLEASE TAKE NOTICE that on May 19, 2008, at 10:30 a.m., or as soon  
27 thereafter as the matter may be heard by the above-entitled Court, located at 940  
28 Front Street, San Diego, California, defendant Thella Bowens ("Bowens") will

1 move the Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure  
2 for a Motion to Dismiss the complaint and all causes of action filed in the above  
3 referenced action on the grounds that Plaintiff has failed to state a claim upon  
4 which relief may be granted (failure to allege a constitutional violation) and  
5 Bowens is entitled to qualified immunity from Plaintiff's 42 U.S.C. section 1983  
6 claims.

7 This motion is based on this Notice of Motion and Motion, the  
8 Memorandum of Points and Authorities filed herewith, the pleadings and papers  
9 filed herein, and upon such other matters as may be presented to the Court at or  
10 before the time of the hearing.

11  
12 Dated: March 3, 2008

PAUL, PLEVIN, SULLIVAN &  
CONNAUGHTON LLP

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14  
15 By: 

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AIRPORT AUTHORITY and  
THELLA BOWENS